

# In the United States Court of Federal Claims

No. 98-488C

Filed: March 31, 2006

**TO BE PUBLISHED**

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SACRAMENTO MUNICIPAL UTILITY  
DISTRICT,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## **ORDER REQUESTING SUPPLEMENTAL EXPERT TESTIMONY**

Consistent with the March 31, 2006 Memorandum Opinion and Order issued, Plaintiff is ordered to submit Supplemental Direct Testimony from Mr. Brian P. Brinig, Brinig & Company, Inc., in the format of five tables and any supporting explanation:

1. Table A – a Summary of Costs by the categories listed in PX 1000 ¶ 20,<sup>1</sup> for each of the following periods: January 1, 1992 through May 14, 1997; May 15, 1997 through May 31, 1997; June 1, 1997 through October 31, 1999; and November 1, 1999 through December 31, 2003.
2. Table B – including cost data from Table A, minus any costs attributable to the “dual-purpose” transportable features of the dry storage system.
3. Table C – including cost data from Table B, minus any costs attributable to a contract, lease, or other legal obligations executed by Plaintiff prior to May 15, 1997.
4. Table D – including cost data from Table C, minus any costs attributable to one-twenty-second of the cost to construct the ISFSI.
5. Table E – including cost data from Table D, minus Packaging Technologies and Vectra charges attributable to on-site drop testing.

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<sup>1</sup> The “Labor” category may include costs attributable to the 16 employees who charged the majority of their time to the “dual-purpose” dry storage project. An “Indirect Labor” category should not be included.

The court will convene a telephone conference **on April 10, 2006 at 2:00 p.m. E.D.T.** to discuss implementation of this Order, including the Government's oversight and verification of the data reported in the Tables.

**IT IS SO ORDERED.**

**s/SUSAN G. BRADEN**  
**Judge**